

LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176
JEFFERSON CITY, MISSOURI 65102
573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO COURTNEY EXCAVATING

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of
limestone, sand & gravel in the state of Missouri. The extent of the


Proposed mining operation(s) will be on 47 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: **Renewal**

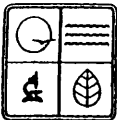
County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Texas	12	28N	12W	20	0	20	Mountain Grove	0673
Douglas	15, 22, 23	27N	13W	2	0	2	Fox Creek	1944
Howell	15	27N	10W	23	0	23	Willow Springs	0304
Wright	21, 22	29N	13W	2	0	2	Whetstone Creek	0672

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 8th day of July 2004


DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0709
Effective Date 07/08/2004
Expiration Date 01/25/2005



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES

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JUN 16 2004

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <i>Courtney Inc.</i>		MISSOURI LAND RECLAMATION COMMISSION		DATE <i>1-5-04</i>
ADDRESS <i>PO Box 587</i>		CITY <i>Wright</i>	STATE <i>MO</i>	ZIP CODE <i>65711</i>
CONTACT PERSON <i>John Courtney</i>			TELEPHONE NUMBER <i>417-926-5971</i>	

FEES: COMPLETE SECTION I OR SECTION II

SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1. <i>0672</i>	Jan, Feb, Mar, Apr, May, Jun, <u>Jul</u> , <u>Aug</u> , Sep, Oct, Nov, Dec	\$ <i>150</i>
2. <i>1944</i>	Jan, Feb, Mar, Apr, May, Jun, <u>Jul</u> , <u>Aug</u> , Sep, Oct, Nov, Dec	\$ <i>150</i>
3. <i>0673</i>	Jan, Feb, Mar, Apr, May, Jun, <u>Jul</u> , <u>Aug</u> , <u>Sep</u> , <u>Oct</u> , <u>Nov</u> , <u>Dec</u>	\$ <i>300</i>
4. <i>0301</i>	Jan, Feb, Mar, Apr, May, Jun, <u>Jul</u> , <u>Aug</u> , <u>Sep</u> , <u>Oct</u> , <u>Nov</u> , <u>Dec</u>	\$ <i>300</i>
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		\$ <i>900.00</i>

2. Acreage Fee \$5 X *47* number of acres bonded\$ *235.00*

3. Annual Permit Fee.....\$ 500 *1635.00*

4. Total Fee (Add totals from 1, 2 and 3).....\$

NOTE: If Total Fee exceeds \$2,500.00 then pay only\$ 2,500

SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee.....\$ 300

SIGNATURE OF APPLICANT <i>[Signature]</i>	TITLE <i>President</i>	DATE <i>1-5-04</i>
--	---------------------------	-----------------------

Appeared before me this *5th* day of *January*, 20 *04*. *Tony Courtney*
to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSEER SEAL	STATE OF <i>Missouri</i>	COUNTY (OR CITY OF ST. LOUIS) <i>Wright</i>
	SUBSCRIBED AND SWORN BEFORE ME, THIS	
	DAY OF	YEAR
	NOTARY PUBLIC SIGNATURE <i>[Signature]</i>	MY COMMISSION EXPIRES <i>12-8-07</i>
NOTARY PUBLIC NAME (TYPED OR PRINTED) <i>Tina Dill</i>		

USE RUBBER STAMP IN CLEAR AREA BELOW

Notary Public - Notary Seal
STATE OF MISSOURI
Wright County
My Commission Expires Dec. 8, 2007

FOR DEPARTMENT USE ONLY: APPROVED BY <i>Michael J. Whitt</i>	DATE APPROVED <i>7/7/04</i>	PERMIT NUMBER <i>0709</i>	EXPIRATION DATE <i>1/25/05</i>
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SITE INFORMATION FORM

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER

Mountain Grove Quarry

COMPANY NAME

Courtney Excavating

COUNTRY

Texas

TOWNSHIP

N87

RIVER OR STREAM NAME (FOR IN-STREAM ACRES)

MINERAL COMMODITY

Limestone

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE)

Phillip Strain

ADDRESS

920 Main

CITY

STATE

ZIP CODE

65711

DATE OF AGREEMENT

MINERAL DEED

LEASE

March-99

☐ WARRANTY DEED

VERBAL AGREEMENT

☐ OTHER(DESCRIBE):

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE)

Philip Strain

ADDRESS

920 Main

CITY

STATE

ZIP CODE

Mountain Grove

SOURCE OF RIGHT TO MINE (CHECK ONE):

☐ MINERAL DEED

DATE OF AGREEMENT

65711

WARRANTY DEED

☐ VERBAL AGREEMENT☐ OTHER(DESCRIBE):

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.

MO 780-1036 (12-91)

Mine Plan

☐ Short Term, For One Permit Year

☒ Long Term, For Period Through Date: **January 25, 2020**

Description of Site Prior to Land Reclamation Commission Permitting (By Applicant or Prior Operator), Including Soil, Vegetation and Topography.

Vegetation: Eastern Redcedar and hardwood forest.

Soil and Topography:

MoKo Series: Very thin soil where present with numerous rock outcrops, 40 percent slope.

A Horizon : 2 inches, very stony clay loam

B Horizon : 8 inches, very stony clay loam

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Operational Plan-10 CSR 40-10.020(2)(D)1.

A. Topsoil

Average Depth of Topsoil, Prior to Land Reclamation Commission Permitting
_____ 2 _____ Inches

Is Topsoil to be Sold or Discarded Offsite?

☐ Yes or ☒ No

Describe Methods and Equipment Used for Topsoil Removal

When present soil material will be removed with dozers, loaders and dump trucks. The soil material will be a combination of the A and B horizons. It is estimated that an average thickness for recoverable soil is approximately five inches of combined A and B horizons.

Describe Methods and Equipment Used for Topsoil Storage and Protection

Soil material will be stockpiled within the permitted area and seeded with Mix A to prevent erosion.

B. Spoil

Describe Methods and Locations of Spoil Placement and Disposal

Soil materials that contain excess fragments, lower soil horizons and waste rock will be referred to as spoil. These materials will be used as a base below soil replacement areas, to reduce highwalls, stockpiled as construction fill or placed in permanent disposal areas. The disposal areas will be active for the entire life of the mine.

The previous operator was able to market the very small quantity of spoil that was encountered while opening the pit area. No additional spoil is anticipated during the current long term mine plan.

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C. Acid Materials

Describe Methods and Equipment Used for Handling Acid Material (If None is Anticipated, Write "None" Below)

None

D. Pit Information (Give All Dimensions in Feet)

Describe Location and Orientation of Pit, If Not Clear on Site Maps

See Map

Yes No

☐☒

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right-of-way, and in no case may the excavation be closer to the right-of-way than fifty feet or twenty-five feet plus one and one-half (1-1/2) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line?
(NOTE: If the answer is "yes", a safety barrier may be needed.)

Reclamation Plan-10 CSR 40-10.020(2)(D)2.**A. Revegetation (Attach additional sheets, if needed)**

Revegetation Mix #1 A	Purpose Or Land Use Temporary Cover	Seeding Or Planting Time As Needed
---------------------------------	--	---------------------------------------

Describe Methods and Equipment to be Used for Seeding or Planting

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients.

Mulch will be applied to all slopes exceeding 5:1.

The seed mix will be broadcast and mulched as needed.

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Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre
Perennial Ryegrass Fescue	12 25		

Revegetation Mix #2 B	Purpose Or Land Use All land uses except impoundments	Seeding Or Planting Time Fall, Spring & Frost
---------------------------------	--	--

Describe Methods and Equipment to be Used for Seeding or Planting

Lime and fertilizer will be applied according to recommendations based on an analysis of soil texture and nutrients.

Mulch will be applied to all slopes exceeding 5:1.

The seed mix will be broadcast and mulched as needed.

Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre
Ladino Clover or Crown Vetch Perennial Ryegrass Fescue	8 15 25		

Attach Additional Sheets For Additional Seed Mixes

Reclamation Plan-10 CSR 40-10.020(2)(D)2.**A. Revegetation** (Attach additional sheets, if needed)

Revegetation Mix #3 C	Purpose Or Land Use All Land uses except impoundments	Seeding Or Planting Time Winter and Spring
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Describe Methods and Equipment to be Used for Seeding or Planting

The seed mix will be broadcast on areas with sufficient cover to prevent erosion that have been seeded with mix A or B. On areas where the soil is slightly acidic or has low fertility this mix is expected to become dominant.

All species are not expected to survive on all sites due to differing micro-environments. The mix is intended to provide a plant community that will protect from erosion, aid in soil generation and encourage the re-establishment of native species.

Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre
Big Bluestem	3		
Indiangrass	3		
Little Bluestem	3		
Sideoats Grama	3		
Switchgrass (common)	3		
Forbs Mix	0.75		
Redtop	8		
Revegetation Mix #4	Purpose Or Land Use	Seeding Or Planting Time	

Describe Methods and Equipment to be Used for Seeding or Planting

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Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre

Attach Additional Sheets For Additional Seed Mixes

B. Grading**Describe Proposed Reclaimed Topography, Including Slopes**

The spoil consist of soil horizons with greater than 25 percent fragments and waste rock. Typically all voids are filled with soil size particles resulting in a good root growth material. The spoil will be used to cover highwalls, create natural areas or to reduce the depth of the pit floor. Soil material with less than 25% fragments will be redistributed at a thickness of 12 inches.

The small volume of soil that can be saved will be redistributed to locations that will best improve the aesthetic qualities of the site. The precise location of these areas cannot be determined until the pit has been expanded and mining trends can be established. The best guess at this time is that the soil will be used to cover spoil material placed along the base of the final high wall. It is anticipated that the majority of the site will be reclaimed as a flat rock floor.

At no time will the slope of the fill be steeper than a slope at which the material is naturally stable.

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Grading**10 CSR 40-10.050(10)(A)&(C)**

On all areas or portions of areas where surface mining has been completed, grading shall be completed within twelve (12) months after the expiration or renewal of the permit under which the surface mine disturbance occurred.

Replacement of Topsoil**10 CSR 40-10.050(10)(A)**

On all areas or portions of areas where surface mining has been completed, topsoil replacement shall be completed within twelve (12) months after the expiration or renewal of the permit under which the surface mine disturbance occurred.

Revegetation

Initial revegetation will occur during the first year after grading and soil replacement.

Average Depth of Replaced Topsoil (Inches)

12 inches of soil material

D. Use of Land When Reclaimed**Estimated Acres:**

Estimated acreage of each land use below, after reclamation

Wildlife (forest or other habitat with livestock excluded)

Agriculture (pasture, cropland, and horticultural)

Development (residential, industrial, and recreational)

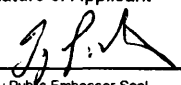
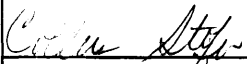
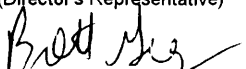
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Water Impoundments (for wildlife, agricultural, or development)

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Section 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

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Signature of Applicant 		Title <i>President</i>		Date <i>4/19/99</i>	
Notary Public Embosser Seal	State <i>Missouri</i>		County (Or City of St. Louis) <i>Wright</i>		
	Subscribed and Sworn Before me, This <i>19th</i> Day Of <i>April</i> 19 <i>99</i>				Use Rubber Stamp Below
	Notary Public Signature 		My Commission Expires <i>March 23, 2003</i>		
	Notary Public Name (Typed or Printed) <i>Colleen Storer</i>				
Approved By (Director's Representative) 			Date Approved <i>5-25-99</i>		Permit Number <i>709</i>



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

PERMIT TRANSFER

P.O. BOX 176
JEFFERSON CITY, MO 65102

PERMIT TRANSFER (FOR TRANSFERRING PERMITTED ACRES FROM ONE OPERATOR TO ANOTHER, WITH NO CHANGES IN MINE PLAN OR ACREAGE)

NAME OF CURRENT PERMIT HOLDER Leo Journagan Construction Company, Inc.	PERMIT NUMBER 287
---	----------------------

SITE(S) Mountain Grove (Site #13)

ADDRESS 3003 E Chestnut Expressway Suite 1200
--

CITY Springfield	STATE Missouri	ZIP CODE 65802
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CONTACT PERSON Russell Crawley	PHONE NUMBER (417) 869-7222
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TO BE COMPLETED BY THE CURRENT PERMIT HOLDER

List all reclamation bonds which are held on this permit

BONDING COMPANY	BOND NUMBER	BOND DATE	AMOUNT
American International	16-98-16	7/31/97	\$ 281,000

TO BE COMPLETED BY PROPOSED SUCCESSOR

NAME OF PROPOSED SUCCESSOR Courtney Excavating

ADDRESS PO Box 587

CITY Mountain Grove	STATE Missouri	ZIP CODE 65711
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CONTACT PERSON Tony Courtney	TELEPHONE NUMBER 417-926-5977
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List any other Land Reclamation Commission Permits currently or previously held by successor or companies owned or partially controlled by successor.

NAME OF COMPANY	PERMIT NUMBER	MINERAL
Courtney Excavating	709	Sand and Gravel

NOTE: The successor company must provide proof of bond replacement and an affidavit of publication for the required public notice.

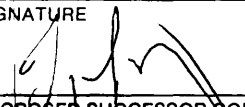
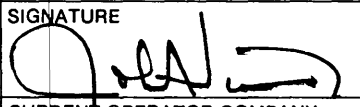
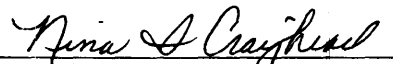

TRANSFER OF RECLAMATION RESPONSIBILITY

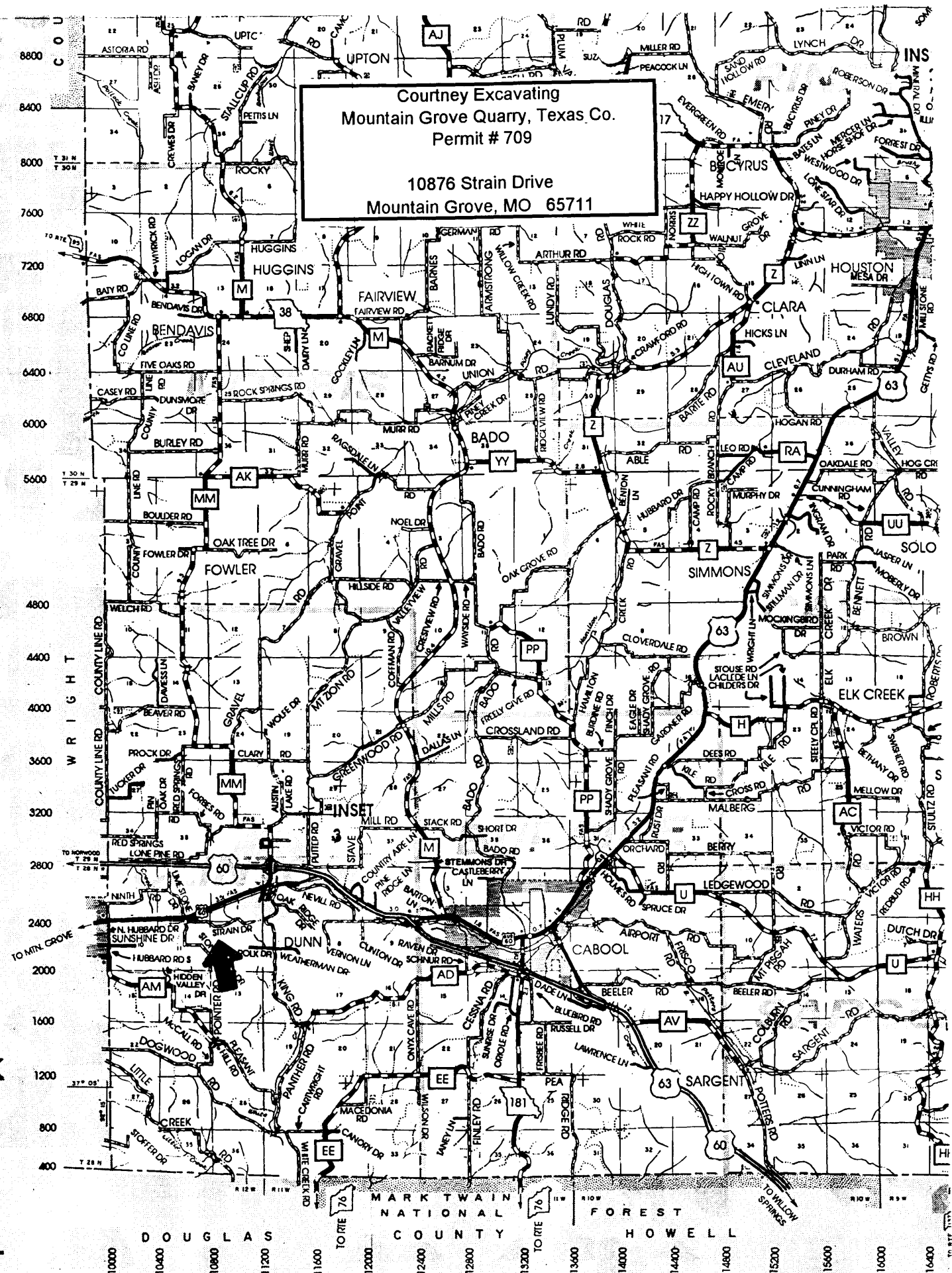
In consideration of receiving the right to surface mine for Limestone (MINERAL), on the land covered by Missouri Surface Mining Permit Number 287 (Site #13), which consists of 60.30 acres located in Section 12, Township 28N, Range 12W, Texas County, Missouri, COURTNEY EXCAVATING (PROPOSED SUCCESSOR), a Missouri corporation, Missouri partnership, or individual, assumes all responsibility for reclaiming the land previously mined under the aforesaid permit by Leo Journagan Construction Company, Inc. FORMER OPERATOR

All reclamation of the above identified land shall be performed in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990).

Notwithstanding, the current permit holder agrees to continue to abide by the Missouri Land Reclamation Act and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to the above operation until such time as the transfer application is approved by the Missouri Land Reclamation Program.

The undersigned certify the information given above to be correct, complete and true, and agree to the above assumption of reclamation responsibility.

SIGNATURE 		NAME Tony Courtney	TITLE President
PROPOSED SUCCESSOR COMPANY Courtney Excavating		DATE 6-2-99	
SIGNATURE 		NAME John A. View, III	TITLE Vice-President
CURRENT OPERATOR COMPANY Leo Journagan Construction Company, Inc.		DATE 6-1-99	
<p>Appeared before me this <u>1st</u> day of <u>June</u>, 19 <u>99</u>, <u>John A. View, III</u> to me personally known, who executed the above as their free acts and deeds.</p>			
NOTARY PUBLIC EMBOSSEY SEAL	STATE Missouri		COUNTY (OR CITY OF ST. LOUIS) Greene
	SUBSCRIBED AND SWORN BEFORE ME, THIS 1st DAY OF June 19 99		USE RUBBER STAMP IN CLEAR AREA BELOW
	NOTARY PUBLIC SIGNATURE 	MY COMMISSION EXPIRES 11-4-99	NINA I CRAIGHEAD NOTARY PUBLIC STATE OF MISSOURI GREENE COUNTY MY COMMISSION EXP NOV 4, 1999
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Nina I. Craighead		
APPROVED BY (DIRECTOR'S REPRESENTATIVE) 		TITLE LRS III	DATE APPROVED 7-7-99



HCR 71, Box 37
Ava, MO 65608

Each ERA office is independently
owned and operated

Office located at the Junction of
Hwy 5 South & Hwy 76 West
Ava, MO 65608

Website: www.eralandmark.com



Courtesy Excavating
Fox Creek
Douglas County
SE ¼ Section 15
E ½ Section 22
SW ¼ Section 23
T27N R13W

Scale: 1 inch = 400 feet



MISSOURI LAND
RECLAMATION COMMISSION

Joyce L. Johnson, GRI
Broker/Owner
Res: 417-683-4780

@eralandmarkrealtors.com

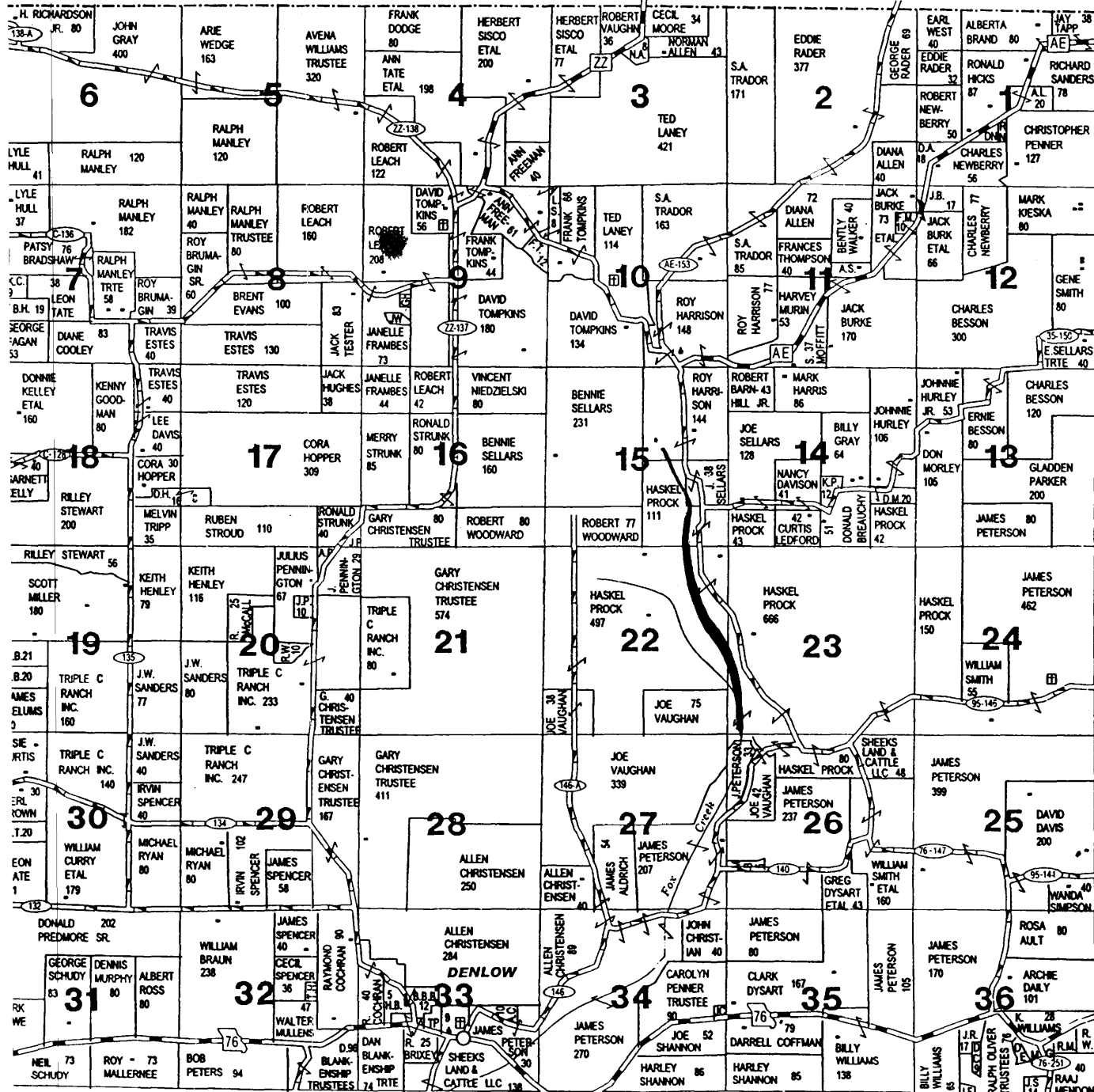
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JUN - 7 2002

TOWNSHIP 27N • RANGE 13W

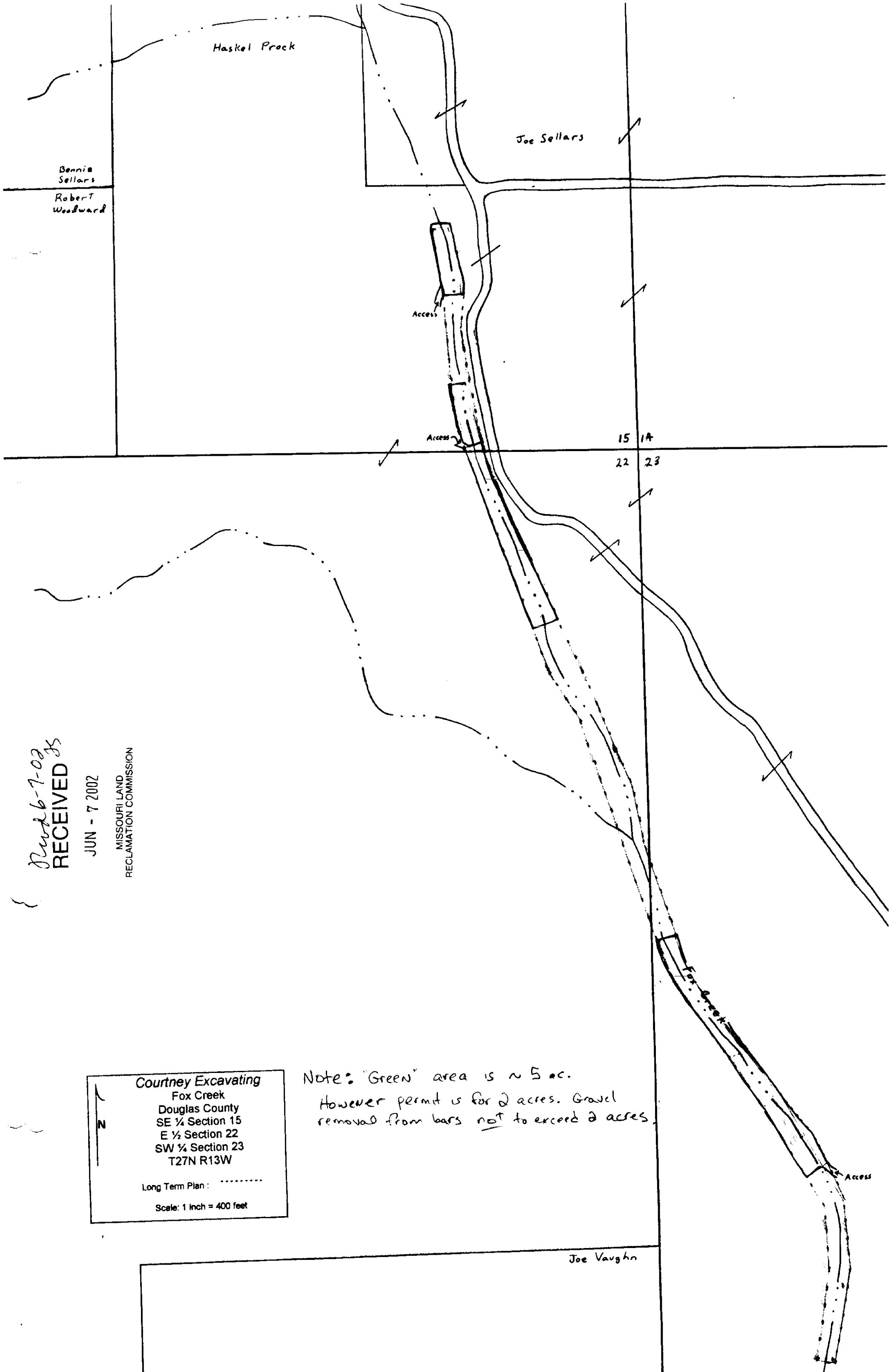
3

WRIGHT COUNTY



SEE PAGE 14

SEE PAGE 21



2006-7-02
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MISSOURI LAND
RECLAMATION COMMISSION

Courtney Excavating
Fox Creek
Douglas County
SE 1/4 Section 15
E 1/4 Section 22
SW 1/4 Section 23
T27N R13W

Long Term Plan :
Scale: 1 inch = 400 feet

Note: "Green" area is ~ 5 ac.
However permit is for 2 acres. Gravel
removal from bars not to exceed 2 acres.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

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FEB 05 2002

To be completed for each separate area of disturbance associated with mining operations. MISSOURI LAND RECLAMATION COMMISSION		
SITE NAME OR NUMBER Fox Creek		PERMIT NUMBER 709
COMPANY NAME Courtney Excavating		
COUNTY Wright Doudas	1/4 SECTION SE 1/4; E 1/2; SW 1/4	SECTION 15; 22: 23
TOWNSHIP 27N	RANGE 13W	ACRES 2
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) Fox Creek		
MINERAL COMMODITY Sand and Gravel		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) Less than 5000 tons

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) Jim Schober		
ADDRESS Rt. 2		
CITY Mountain Grove	STATE MO	ZIP CODE 65711
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER(DESCRIBE): _____		DATE OF AGREEMENT <input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Same as above		
ADDRESS		
CITY		ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER(DESCRIBE): _____		<input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



Missouri Department Of Natural Resources

Land Reclamation Program

STREAM PROTECTION PLAN - 10 esr 40-10.020(2)(D)3

(Required for in-stream sites, or as required by the Director)

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JUN - 7 2002

☐ Short Term, For One Permit Year

☒ Long Term, For Period Through Date:

Jan. 25, 2020

MISSOURI LAND
RECLAMATION COMMISSION

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

The area to be mined involves a two mile stretch of Fox Creek of which approximately one-half mile consist of mineable gravel deposits (see plat map attached). This section of the creek is bordered by agricultural operations (pasture). The banks are steep but well vegetated. The water quality is acceptable. The stream has intermittent flow.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM BANKS, SUCH AS PROTECTING BANK VEGETATION, IF APPLICABLE.

Excavations between the stream banks will be managed such that water flow is not redirected toward the stream banks.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM ENVIRONMENTS, SUCH AS KEEPING ACTIVE MINING OPERATIONS ON GRAVEL BARS, RATHER THAN IN FLOWING WATER, AND KEEPING HAUL ROADS AWAY FROM FLOWING WATER, IF APPLICABLE.

Gravel removal will be restricted to the exposed portion of the gravel (gravel bars). We will shave the top of the gravel bars to a depth of no deeper than the normal water level. This will avoid causing erosion of the stream bank and channel at the mine site and upstream (headcutting). Although we must cross the stream to access the gravel bar, we will always cross at the same location.

Courtney Excavating & Construction

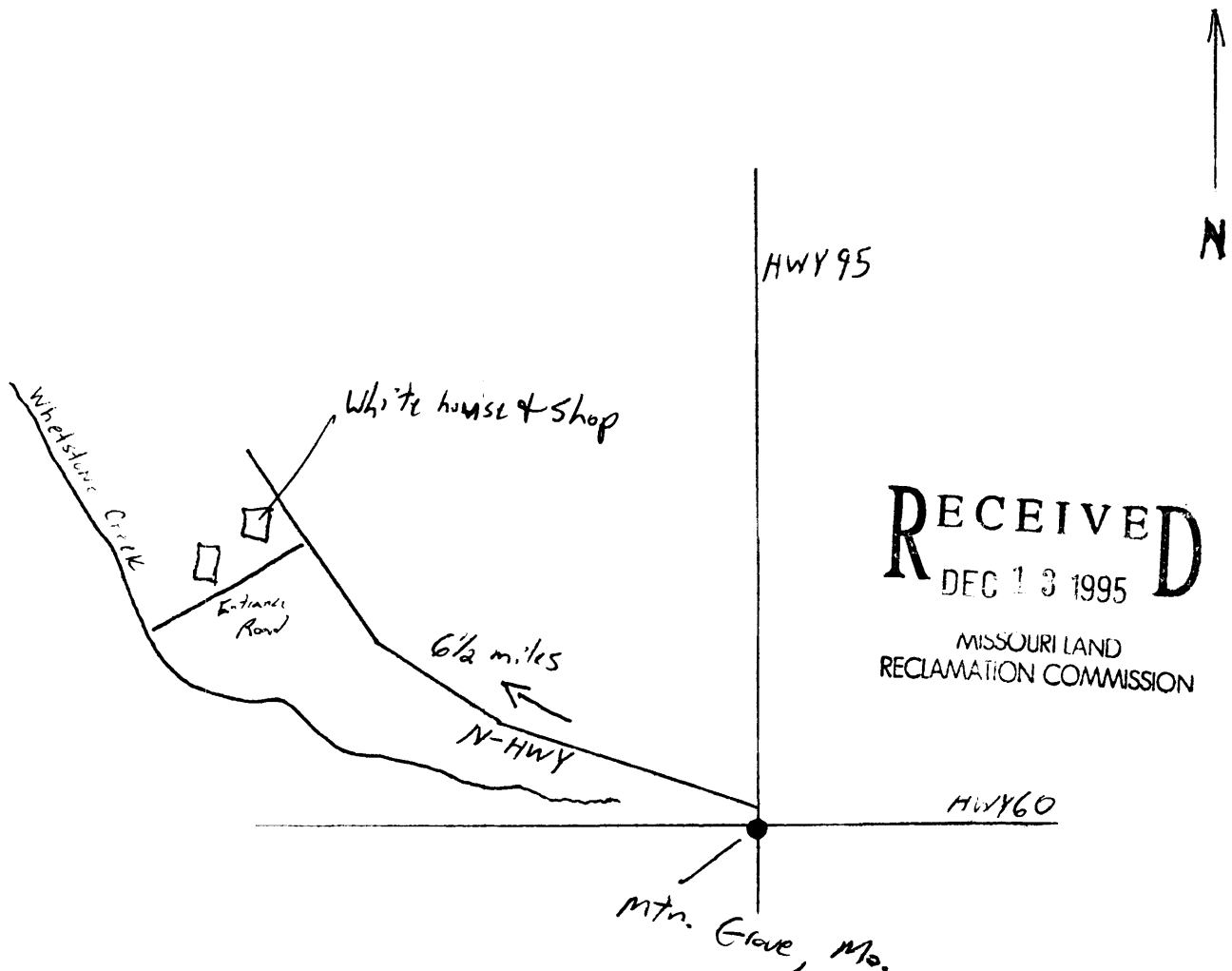
P.O. Box 587
Mountain Grove, Missouri 65711
(417) 926-5977

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DEC 13 1995
MISSOURI LAND
RECLAMATION COMMISSION

December 11, 1995

Re: Map for permit

From Mountain Grove, Missouri travel 6.5 miles west on N highway. Entrance to site is on the left just South of White house and shop building. Site is approximately 1/4 mile off of N highway down site entrance road. (See below drawing)



DESCRIBE METHOD USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES, IF APPLICABLE.

Gravel removal will be restricted to periods of low flow. A buffer strip will be left between the excavation and the flowing portion of the stream.


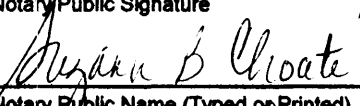

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FEB 05 2002

MISSOURI LAND
RECLAMATION COMMISSION

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Section 444.760 through 444.789, RSMo, and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

Signature of Applicant 		Title President		Date 1-31-02	
Notary Public Embosser Seal	State Missouri		County (Or City of St. Louis) Wright		
	Subscribed and Sworn Before me, This 4th Day Of February 2002			Use Rubber Stamp Below	
	Notary Public Signature 		My Commission Expires 04-16-04		
	Notary Public Name (Typed or Printed) Suzann B Choate				
Approved By (Director's Representative) 			Date Approved 6/4/02		Permit Number 0709

Attach the following documents to the Stream Protection Plan Form:

- A. Two copies of a map such that the mine can be located, and distinguished from other mines in the area.
- B. Two copies if a more detailed map, prepared on an original or clearly copied USGS 7-1/2 minute topographical map, county assessor map, A.S.C.S. aerial photo, up-to-date county plat, or a different base map with a scale of one inch to six hundred sixty feet (1"=660') or larger.
 - 1. At minimum, the detail map must show the following:
 - a. ownership boundaries, and names of owners of surface and subsurface rights to land within and contiguous to the permit area.
 - b. bounded and acreage of each permitted site, and of the area to be affected over the term of the mine plan.
 - c. creeks or streams within the proposed permit area.
 - d. date of map preparation, preparer's name and title, north arrow, scale, and section, township and range lines.
 - 2. The following may be required for clarification:
 - a. abandoned surface mines
 - b. locations of erosion and sediment control devices.
 - c. structures, and natural or cultural features to be protected.

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MISSOURI LAND
RECLAMATION COMMISSION



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

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To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER Willow Springs		PERMIT NUMBER 709	
COMPANY NAME Courtney Excavating			
COUNTY Howell	1/4 SECTION SE and NE	SECTION 15	
TOWNSHIP 27N	RANGE 10W	ACRES 90	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) NA			
MINERAL COMMODITY Limestone		ESTIMATED TONS/YEAR (FOR GRAVEL SITE) NA	
NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) William R. Moody			
ADDRESS Rt. 3 Box 72A			
CITY Willow Springs		STATE MO	ZIP CODE 65793
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER(DESCRIBE): _____ <input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT			DATE OF AGREEMENT 2001
MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Same as above			
ADDRESS			
CITY		STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER(DESCRIBE): _____ <input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT			DATE OF AGREEMENT 2001
NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.			



Missouri Department Of Natural Resources
Land Reclamation Program
Mine Plan

P.O. Box 176
Jefferson City, MO 65102

☐ Short Term, For One Permit Year

☒ Long Term, For Period Through Date:

2020

Willow Springs

Description of Site Prior to Land Reclamation Commission Permitting (By Applicant or Prior Operator), Including Soil, Vegetation and Topography.

Vegetation: Hardwood Forest

Soil & Topography:

Gatewood Series, 60%:

Topsoil: 8 inches, very cherty silt loam with 35% fragments.

Subsoil: 22 inches, cherty clay with 10% fragments.

Ocie Series, 40%:

Topsoil: 20 inches, very cherty silt loam with 25% fragments.

Subsoil: 38 inches, cherty clay with 20% fragments.

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RECLAMATION COMMISSION

Operational Plan-10 CSR 40-10.020(2)(D)1.

A. Topsoil

Average Depth of Topsoil, Prior to Land Reclamation Commission Permitting

12.8 Inches

Is Topsoil to be Sold or Discarded Offsite?

☐ Yes or ☒ No

Describe Methods and Equipment Used for Topsoil Removal

The topsoil is removed by dozer and frontend loader and hauled in trucks to a stockpile location.

Describe Methods and Equipment Used for Topsoil Removal

The topsoil stockpile is located to the south of the active pit and is protected from erosion by seeding with a mix of fescue and ryegrass.

B. Spoil

Willow Springs

Describe Methods and Locations of Spoil Placement and Disposal

Spoil is pushed to both sides of the pit to create a safety berm along the access road and a diversion below the pit to control runoff. All spoil will be protected from erosion by broadcast seeding with the temporary seeding mix.

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MISSOURI LAND
COMMISSION**C. Acid Materials**

Describe Methods and Equipment Used for Handling Acid Material (If None is Anticipated, Write "None" Below)

None

D. Pit Information (Give All Dimensions in Feet)

Describe Location and Orientation of Pit, If Not Clear on Site Maps

See site map.

Yes No☐☒

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right-of-way, and in no case may the excavation be closer to the right-of-way than fifty feet or twenty-five feet plus one and one-half (1-1/2) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line?
(NOTE: If the answer is "yes", a safety barrier may be needed.)

Reclamation Plan-10 CSR 40-10.020(2)(D)2.**A. Revegetation** (Attach additional sheets, if needed)

Revegetation Mix #1	Purpose Or Land Use Temporary Cover	Seeding Or Planting Time Spring/April
---------------------	--	--

Describe Methods and Equipment to be Used for Seeding or Planting

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients.

Mulch will be applied to all slopes exceeding 5:1.

Backfilling and grading of the stored topsoil will be placed by frontend loader and trucks along the edge of the impoundment, graded and hand planted with grass.

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MISSOURI LAND
RECLAMATION COMMISSION

Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre
Fescue	8		
Ryegrass	8		
Korean Lespedeza	22		

Revegetation Mix #2	Purpose Or Land Use Reclamation	Seeding Or Planting Time April
---------------------	------------------------------------	-----------------------------------

Describe Methods and Equipment to be Used for Seeding or Planting

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients.

Mulch will be applied to all slopes exceeding 5:1.

Same as for Mix #1

Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre
Orchardgrass	15		
Korean Lespedeza	15		
Ladino Clover	2		

Attach Additional Sheets For Additional Seed Mixes

B. Grading

Describe Proposed Reclaimed Topography, Including Slopes

All slopes will be traversable by farm machinery. A 3:1 slope will be left along the highwall as material is available. A bare rock perimeter of 10 feet will be left along the edge of the highwall to comply with safety regulations. All slopes adjacent to undisturbed areas will be 3:1.

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MISSOURI LAND
RECLAMATION COMMISSION**C. Describe The General Sequence and Timing of the Following Activities****Grading**

Completed within 12 months after the expiration of the permit.

Replacement of Topsoil

Completed within 12 months after the expiration of the permit.

Revegetation

Completed within 24 months after the expiration of the permit.

Average Depth of Replaced Topsoil (Inches)

12

D. Use of Land When Reclaimed**Estimated Acres:**

Estimated acreage of each land use below, after reclamation

Wildlife (forest or other habitat with livestock excluded)

Agriculture (pasture, cropland, and horticultural)

Development (residential, industrial, and recreational)

Water Impoundments (for wildlife, agricultural, or development)

90 ac

20


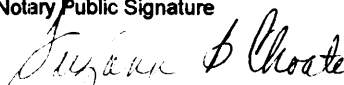
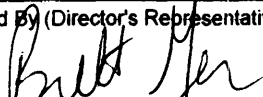
By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Section 444.760 through 444.789, RSMo, and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

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MISSOURI LAND
RECLAMATION COM.

Signature of Applicant 		Title President		Date 1-31-02	
Notary Public Embosser Seal	State Missouri		County (Or City of St. Louis) Wright		
	Subscribed and Sworn Before me, This 4th Day Of February 20 02			Use Rubber Stamp Below	
	Notary Public Signature 		My Commission Expires 04-16-04		
	Notary Public Name (Typed or Printed) Suzann B Choate				
Approved By (Director's Representative) 			Date Approved 6/4/02		Permit Number 0709



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION PROGRAM
PERMIT TRANSFER

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P.O. Box 176
Jefferson City, MO 65102

Page 1 of 2.

PERMIT TRANSFER (FOR TRANSFERRING PERMITTED ACRES FROM ONE OPERATOR TO ANOTHER, WITH NO CHANGE IN MINE PLAN OR ACREAGE)			
NAME OF CURRENT PERMIT HOLDER Capital Quarries, Inc.			PERMIT NUMBER 234
SITE(S) Willow Springs (Site #16)			
ADDRESS 822 W. Stadium Blvd.			
CITY Jefferson City		STATE MO	ZIP CODE 65109
CONTACT PERSON Keith Richter			PHONE NUMBER 573-634-4800
TO BE COMPLETED BY CURRENT PERMIT HOLDER			
List all reclamation bonds which are held on this permit			
BONDING COMPANY	BOND NUMBER	BOND DATE	AMOUNT
Safeco Insurance	5615030	11/26/90	\$310,000*
Company of America			
			*Note: A total of \$11,500 in
			bond applies to Willow Spgs
TO BE COMPLETED BY PROPOSED SUCCESSOR			
NAME OF PROPOSED SUCCESSOR Courtney Excavating			
ADDRESS P.O. Box 587			
CITY Mountain Grove		STATE MO	ZIP CODE 65711
CONTACT PERSON Tony Courtney			TELEPHONE NUMBER (417) 926-5977
List any other Land Reclamation Commission Permits currently or previously held by successor or companies owned or partially controlled by successor.			
NAME OF COMPANY	PERMIT NUMBER	MINERAL	
Note: The successor company must provide proof of bond replacement and an affidavit of publication for the required public notice.			

TRANSFER OF RECLAMATION RESPONSIBILITY 0 5 2002

In consideration of receiving the right to surface mine for Limestone ^{MISSOURI LAND RECLAMATION ACT} ~~on the land~~ covered by Missouri Mining Permit Number 234, which consist of 23 acres located in Section 15, Township 27N, Range 10W

Howell County, Missouri Courtney Excavating
(PROPOSED SUCCESSOR)


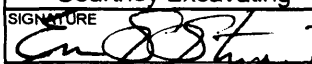
a Missouri cooperation, Missouri partnership, or individual, assumes all responsibility for reclaiming the land

previously mined under the aforesaid permit by Capital Quarries
(FORMER OPERATOR)

All reclamation of the above identified land shall be performed in accordance with the Missouri Land Reclamation Act. Section 444.760 through 444.789, RSMo (Supp. 1990).


Notwithstanding, the current permit holder agrees to continue to abide by the Missouri Land Reclamation Act and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to the above operation until such time as the transfer application is approved by the Missouri Land Reclamation Program.

The undersigned certify the information given above to be correct, complete and true, and agree to the above assumption of reclamation responsibility.

SIGNATURE 	NAME Tony Courtney	TITLE President
PROPOSED SUCCESSOR COMPANY Courtney Excavating		DATE
SIGNATURE 	NAME Eric Strope	TITLE President
CURRENT OPERATOR COMPANY CAPITAL QUARRIES COMPANY INC		DATE 12/31/01

Appeared before me this 31st day of December, 20 01, Eric S. Strope me

personally known, who executed the above as their free acts and deeds.

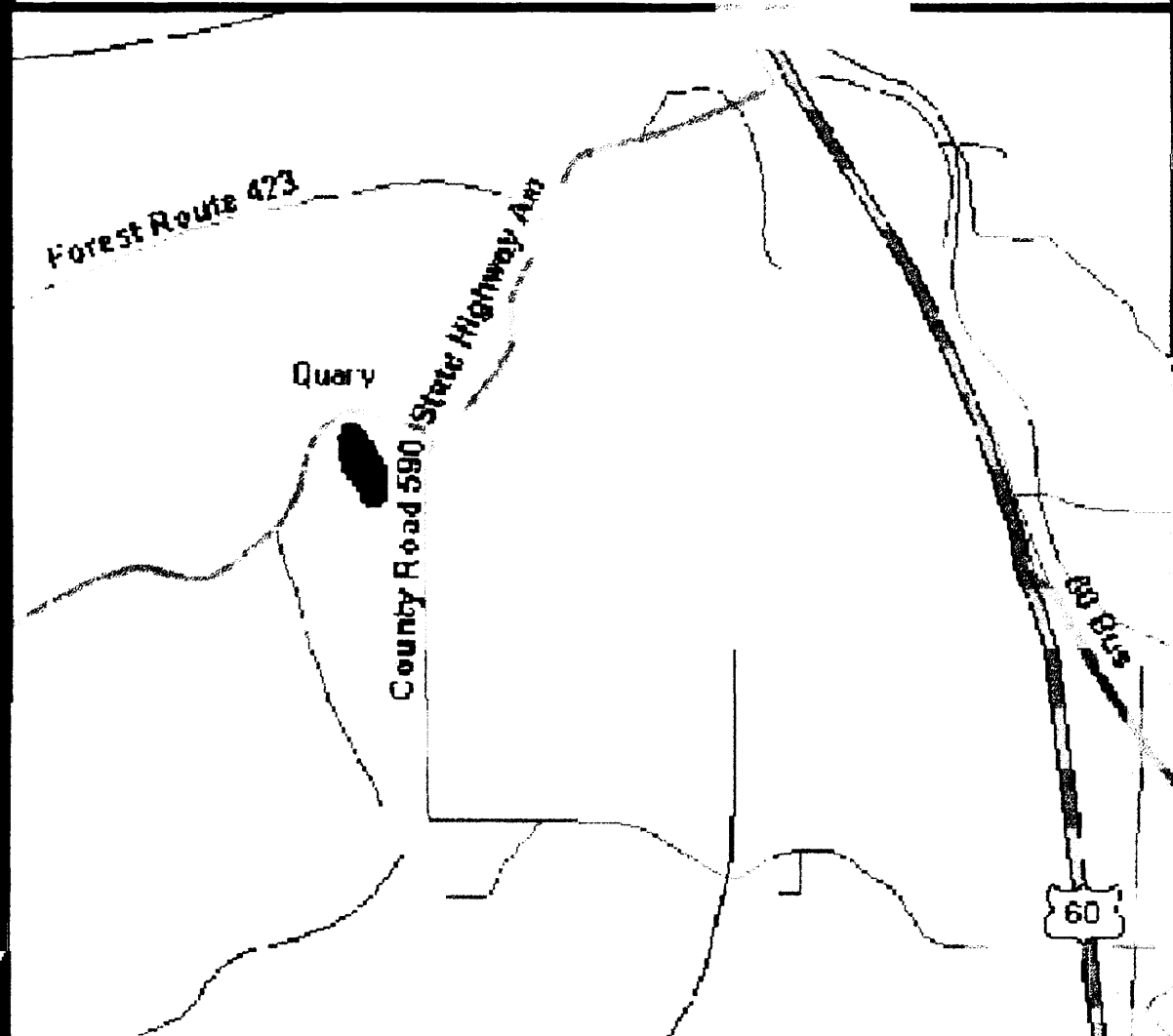
NOTARY PUBLIC EMBOSSEER SEAL	STATE <u>Missouri</u>	COUNTY (OR CITY OF ST. LOUIS) <u>Cole</u>
	SUBSCRIBED AND SWORN TO ME THIS <u>31st</u> DAY OF <u>December</u> 2001	
	NOTARY PUBLIC SIGNATURE <u>Betty V. Fischer</u>	MY COMMISSION EXPIRES <u>1-26-2005</u>
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <u>Betty V. Fischer</u>	
APPROVED BY (DIRECTOR'S REPRESENTATIVE) 	DATE APPROVED <u>6/4/02</u>	PERMIT NUMBER <u>0709</u>

BETTY V. FISCHER
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
COUNTY OF COLE
My Commission Expires: Jan 26, 2005

Locator Map

Courtney Excavating

Willow Springs Site
Howell County



0.4 MI

CENTER: -92.01166 37.02038

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MISSOURI LAND
COMMISSION

10 11
15 14

Malcolm
Gum

N

Courtney Excavating

SE1/4 NE1/4 & SE1/4

Section 15 T27N R10W

Long Term Plan

Bonded Area

NPDES Discharge

Stripped Area

Active Pit

Topsoil Stockpile

Product Stockpile

Scale: 1 inch = 400 feet

90 Ac.

23 Ac.

1.6

5

1

3.5

Sho-Me Power Easement

State Hwy AM

County Road 5700

U.S.A

Mark Twain
National Forest

Ollis wills

Pit

Daniel Elliott

Minerva Gorham

Lloyd La
Donald Alsop

15 14
22 23

C.V. Gabel



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

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DEC 13 1995

To be completed for each separate area of disturbance associated with mining operations. MISSOURI LAND RECLAMATION COMMISSION

SITE NAME OR NUMBER <i>Whetstone Creek</i>		PERMIT NUMBER
COMPANY NAME <i>Courtney Excavating</i>		
COUNTY <i>Wright</i>	1/4 SECTION <i>SW 1/4 NW 1/4</i>	SECTION <i>22 + 21</i>
TOWNSHIP <i>29 Wood gl.c.</i>	RANGE <i>13 W</i>	ACRES <i>2</i>
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <i>Whetstone Creek</i>		
MINERAL COMMODITY <i>Sand and gravel</i>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <i>less than 5000 tons per year</i>

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <i>Tony S. + Donna Courtney</i>		
ADDRESS <i>P.O. Box 587</i>		
CITY <i>Mtn. Grove</i>	STATE <i>MO</i>	ZIP CODE <i>65711</i>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT <i>n/a</i>
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <i>Same as above</i>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)3

(Required for in-stream sites, or as required by the Director)

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TYPE OF PLAN
(CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE: *January 1, 2001*

MISSOURI LAND
RECLAMATION COMMISSION

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

The area to be mined involves a one-quarter mile stretch of Whetstone Creek (see plat map attached). This section of the creek is bordered by agricultural operations (pasture). The banks are steep but well vegetated. Water quality acceptable.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM BANKS, SUCH AS PROTECTING BANK VEGETATION, IF APPLICABLE.

Excavations between the stream banks will be managed such that water flow is not redirected toward the stream banks.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM ENVIRONMENTS, SUCH AS KEEPING ACTIVE MINING OPERATIONS ON GRAVEL BARS, RATHER THAN IN FLOWING WATER, AND KEEPING HAUL ROADS AWAY FROM FLOWING WATER, IF APPLICABLE.

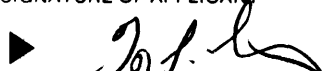
Gravel removal will be restricted to the exposed portion of gravel (gravel bars). We will shave the tops of the gravel bars to a depth of no deeper than the normal water level. This will avoid causing erosion of the streambank and channel at the mining site + upstream (headcutting). Although we must cross the stream to access the gravel bar, we will always cross at the same location.

Gravel removal will be restricted to periods of low flow. A ^{25'} buffer strip will be left between the excavation + the flowing portion of the stream.

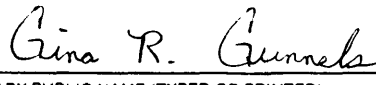
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MISSOURI LAND
RECLAMATION COMMISSION

By my signature, I attest to the following:


- 1) All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to mine in accordance with this Plan, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT 	TITLE Owner	DATE 12-11-95
--	----------------	------------------

Appeared before me this 11th day of December, 19 95,
Tony S. Courtney to me personally known,
who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSEER SEAL	STATE OF Missouri	COUNTY (OR CITY OF ST. LOUIS) Wright
	SUBSCRIBED AND SWORN BEFORE ME, THIS 11th DAY OF December 19 95	
	NOTARY PUBLIC SIGNATURE 	MY COMMISSION EXPIRES 7/1/97
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Gina R. Gunnels	

USE RUBBER STAMP IN CLEAR AREA BELOW.

APPROVED BY (DIRECTOR'S REPRESENTATIVE)  MEC, P.C.	TITLE	DATE APPROVED 1/17/96
---	-------	--------------------------

Attach the following documents to the Stream Protection Plan Form:

- A. Two copies of a map such that the mine can be located, and distinguished from other mines in the area.
- B. Two copies of a more detailed map, prepared on an original or clearly copied USGS 7-1/2 minute topographical map, county assessor map, A.S.C.S. aerial photo, up-to-date county plat, or a different base map with a scale of one inch to six hundred sixty feet (1" = 660') or larger.
 - 1. At minimum, the detailed map must show the following:
 - a. ownership boundaries, and names of owners of surface and subsurface rights to land within and contiguous to the permit area.
 - b. boundaries and acreage of each permitted site, and of the area to be affected over the term of the mine plan.
 - c. creeks or streams within the proposed permit area.
 - d. date of map preparation, preparer's name and title, north arrow, scale, and section, township and range lines.
 - 2. The following may be required for clarification:
 - a. abandoned surface mines.
 - b. locations of erosion and sediment control devices.
 - c. structures, and natural or cultural features to be protected.

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MISSOURI LAND
RECLAMATION COMMISSION

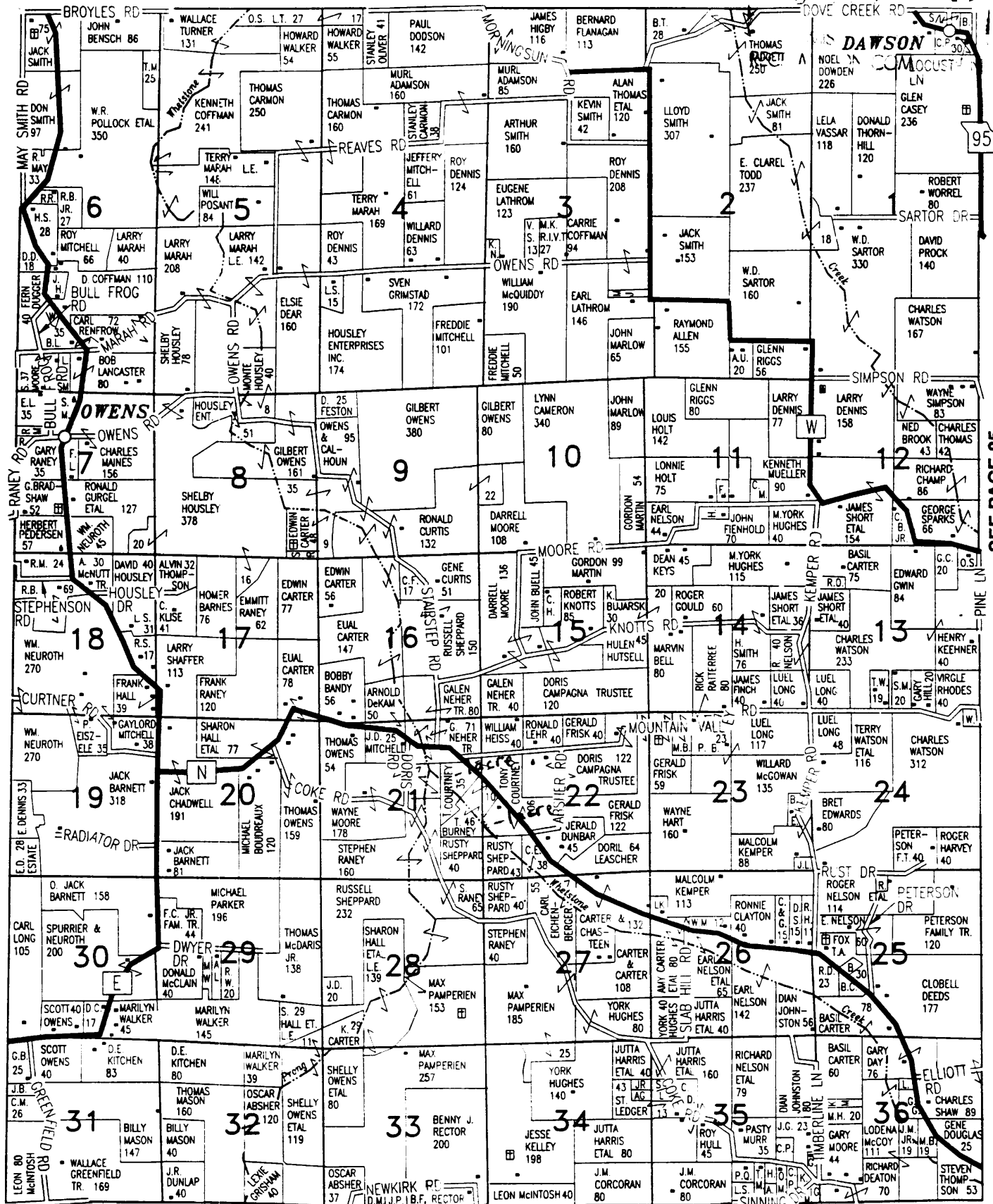
TOWNSHIP 29 • RANGE 13

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DEC 13 1995

SEE PAGE 19

SEE PAGE 23

SEE PAGE 25



SEE PAGE 29

S-21 & 22, T 29, R 13

prepared by:

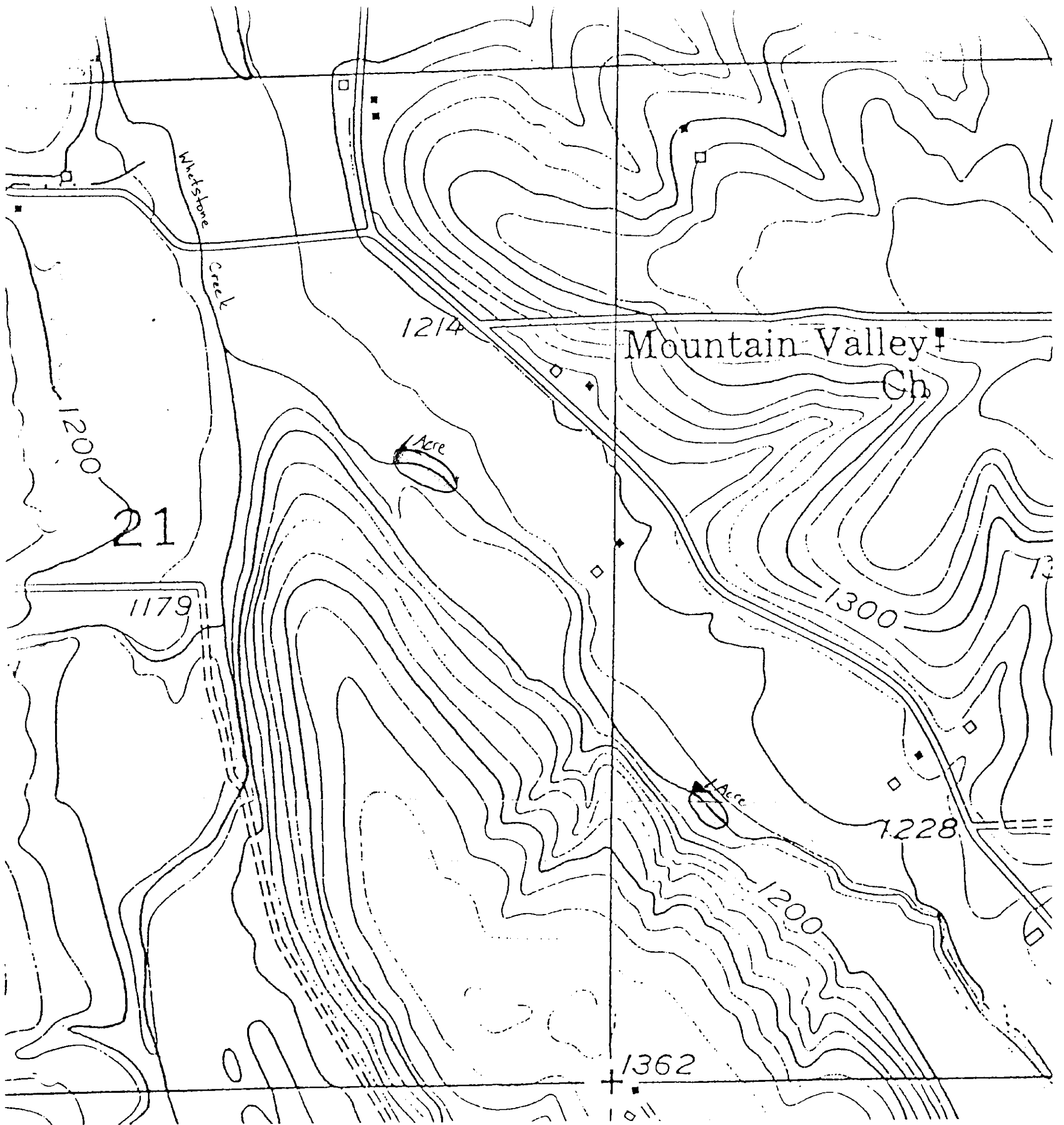
Tony Courtney

12/95

Courtney Excavating

Wright County

©1995 Miller Management Services, Inc.



Scale: 1" = 500'



S-21 1/2 22, T-29N, R-13W

Company Name: Courtney Excavating

County: Wright

Prepared by: Tony S. Courtney

Date: 1/3/96